

Cache Water Users Association became the owner of the right to divert and use the waters therein specified for irrigation purposes with priorities as of November 20, 1928, but subject to defendants' claims. That thereafter the United States constructed a reservoir on the said Little Bear River commonly known as the Hyrum Reservoir, and that ever since the construction of the said reservoir, to-wit on or about the year 1936, this plaintiff has placed certain of the waters allotted to it by said appropriations to beneficial use and has continuously used the same, beneficially, upon the lands owned by its stockholders. That said rights are subordinate to those claimed by defendants so far as the spring and summer waters are concerned.

From the foregoing Findings of Fact, the court draws the following

CONCLUSIONS OF LAW

I

That the decree of this court, in the case of Utah Power & Light Company v. Richmond Irrigation Company, dated and filed herein on the 21st day of February, 1922, as to all of the parties to this proceeding, is a valid, continuing and enforceable decree and the rights to the use of the water of Little Bear River and its tributaries as therein decreed to the plaintiffs herein, are unimpaired by the acts of the defendants herein as alleged or otherwise, and plaintiffs are entitled to have distributed to them the waters therein decreed, strictly in accordance with the said decree, except as to the high water claims of the defendants prior to July first of each year.

II

That the defendant, Bar B Company, its officers, servants, and agents and its successors in interest, should, by the decree of this court, be forever enjoined and restrained from diverting or using any of the waters of Little Bear River in excess of the waters decreed to it, excepting, however, said corporation may divert one second foot of water for thirty hours each fourteen days prior to July First of each year.